

**PATRICK J. MONAGHAN, JR. ESQ. [pjm 6297]**

c/o Beattie Padovano, LLC  
50 Chestnut Ridge Road  
Montvale, New Jersey 07645  
(201) 799-2148  
(201) 573-9736  
[pmonaghan@beattielaw.com](mailto:pmonaghan@beattielaw.com)

September 1, 2017

**Via ECF Filing  
and FAX No. 212-805-6304**

Honorable Paul A. Crotty  
United States District Judge  
Daniel Patrick Moynihan U.S. Court House  
500 Pearl Street  
New York, New York 10007-1312

**Via ECF Filing  
and FAX No. 212-805-6111**

Honorable Henry Pitman  
United States District Judge  
Daniel Patrick Moynihan U.S. Court House  
500 Pearl Street  
New York, New York 10007-1312

**Re: Bryant v. Silverman, et al.  
Docket No. 15-CV-8427 (PJC) (HBP)**

Dear Judge Crotty and Magistrate Judge Pitman:

On August 22, 2017 the plaintiff filed a Notice of Voluntary Dismissal with Prejudice [DI 113]. Two days later plaintiff sought to withdraw that voluntary dismissal with prejudice [DI 115]. In her Declaration submitted as a "Companion to Notice of Withdrawal of Voluntary Notice of Dismissal" [DI 113] she indicated she still wished to dismiss the matter but wanted to discuss terms. There is no Federal Rule or procedure for changing your mind.

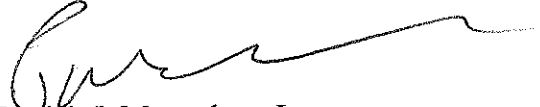
In her Notice of Voluntary Dismissal plaintiff cited R. 41(a)(1)(B) (dismissal by Court Order on terms the Court considers proper) indicating that plaintiff understood the dismissal would be with prejudice, an option previously offered to her by Judge Pitman but declined.

Today I was served with a Subpoena issued six days before her Dismissal Notice (copy of page 1 attached) and Request for Admissions (copy of page 1 attached). Plaintiff has also issued a Subpoena to a third party Hasbro, Inc. These are ineffective given plaintiff's dismissal

In case there is any ambiguity, I wish to make it clear to the Court that I accept plaintiff's Dismissal With Prejudice and consent to a dismissal of this action with prejudice and without costs. Thus, there is a meeting of the parties' minds: both seek a dismissal with prejudice.

For the foregoing reasons I respectfully request that the Court enter an order confirming plaintiff's request for dismissal of this action [DI 113] with prejudice and without costs to any party [Federal Rule of Civil Procedure 41(a)(1)(B)].

Respectfully,

A handwritten signature in black ink, appearing to read 'P. Monaghan, Jr.', with a long, sweeping horizontal line extending to the right.

Patrick J. Monaghan, Jr.

Enc.

cc: Urban Mulvehill, Esq.  
Anne Bryant

UNITED STATES DISTRICT COURT

for the  
Southern District of New York

ANNE BRYANT

Plaintiff

v.

NOEL L SILVERMAN, ESQ

Defendant

Civil Action No.

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: PATRICK J. MONAGHAN, JR.

(Name of person to whom this subpoena is directed)

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: SEE RIDER, ATTACHED

(TO: ANNE BRYANT)

Place: P.O. Box 418  
21 COLLABERG RD  
STONY POINT, NY 10980

Date and Time:

SEPTEMBER 20, 2017, 11 PM

☐ **Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date:

AUG 16 2017

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the <sup>PRO SE PLAINTIFF</sup> attorney representing (name of party) ANNE BRYANT  
P.O. Box 418, 21 COLLABERG RD, STONY POINT, NY 10980, who issues or requests this subpoena, are:

917.848.5203 <accessab@gmx.com>

Notice to the person who issues or requests this subpoena

A notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK

Docket #  
15-CIV-8427 (PAC) (HBP)

Anne Bryant, *Plaintiff Pro Se*

v.

Noel L Silverman; Patrick J Monaghan Jr;

ABC Corporations 1-10;

John and Jane Does 1-10

*Defendants*

**REQUEST FOR ADMISSIONS FROM  
DEFENDANT PATRICK J MONAGHAN JR,  
PURSUANT TO FED. R. CIV. P. 36**

August 28, 2017

*Anne Bryant, Plaintiff Pro Se  
P.O. Box 418 \*  
21 Collaberg Road\*\*  
Stony Point, NY 10980*

\*Please use P.O. Box for USPS MAIL; \*\*Use Street Address for FEDEX/UPS, delivery to house